

JOHN F. COOK  
MAYOR

JOYCE WILSON  
CITY MANAGER



CITY COUNCIL  
ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
J. ALEXANDRO LOZANO, DISTRICT 3  
MELINA CASTRO, DISTRICT 4  
PRESI ORTEGA, JR., DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
BETO O'ROURKE, DISTRICT 8

REGULAR COUNCIL MEETING MINUTES  
COUNCIL CHAMBERS  
MAY 30, 2006  
8:30 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 8:38 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Jose Alexandro Lozano, Presi Ortega, Jr., Eddie Holguin, Jr., Steve Ortega, and Beto O'Rourke. Absent: Melina Castro. The invocation was given by Police and Fire Chaplain Sam Faraone, followed by the Pledge of Allegiance to the Flag of the United States of America.

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**MAYOR'S PROCLAMATIONS**

**SOUTHWESTERN PRIDE PARADE DAY**

**MAYOR'S INVITATION**

**Invitation to City Council, City employees and the community to participate in the Mayor's Blood Donor Program.**

Mayor Cook and Ms. Dottie Calhoun, United Blood Services, commented.

**CALL TO THE PUBLIC – PUBLIC COMMENT**

**This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.**

A sign-up form is available on line at [https://www.elpasotexas.gov/city\\_clerk/contact\\_public.asp](https://www.elpasotexas.gov/city_clerk/contact_public.asp) for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

Motion made by Representative Byrd, seconded by Representative Steve Ortega, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow a member of the audience to participate in call to the public after 9:00 a.m.

1. Mr. Walt Phillips commented on rock walls and the quarry in Northeast El Paso.
2. Mr. H. Vanoy Barton commented on A Presidential Neighborhood Association (APNA).  
Mayor Cook and Representatives Lozano, Byrd, Holguin, and Presi Ortega, Jr. commented.  
Ms. Joyce Wilson, City Manager, and Mr. Charlie McNabb, City Attorney, commented.
3. Mr. Tony Diaz commented on taxes and home valuations.

Mayor Cook and Representatives Lozano, Presi Ortega, Jr., Steve Ortega, and Holguin commented.

Ms. Joyce Wilson, City Manager, and Mr. William Studer, Deputy City Manager of Financial and Administrative Services commented.

4. Mr. Jorge Artalejo commented on where City Hall would go.

5. Mr. Jaime Pinales commented on residential sidewalks not in place.

Mayor Cook and Representatives Byrd and Lozano commented.

6. Mr. Rene Leon commented on the downtown revitalization plan.

Motion made by Representative Steve Ortega, seconded by Representative Lilly, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow Ms. Leon an additional minute to speak.

Representative Lozano commented.

7. Ms. Reese Nguyen commented on the downtown plan.

Motion made by Representative Steve Ortega, seconded by Representative Holguin, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow Ms. Reese an additional minute to speak.

Representatives Lozano, Steve Ortega, and Presi Ortega, Jr. commented.

8. Mr. Arthur Ward commented on the libraries getting rid of history books.

Representative Lozano and Presi Ortega, Jr. commented.

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Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd, and unanimously carried to **APPROVE, AS REVISED**, all matters listed under the Consent Agenda unless otherwise noted. (Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {\*}).

AYES: Representatives Lilly, Byrd, Lozano, Presi Ortega, Jr., Holguin, Steve Ortega, and O'Rourke  
ABSENT: Representative Castro

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\*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for Regular City Council Meeting of May 23, 2006, corrected minutes of May 9, 2006, and Special City Council Meeting Minutes of May 16, 2006, May 17, 2006, and May 22, 2006.

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\*Motion made, seconded, and unanimously carried to **EXCUSE** Representative Melina Castro from the Regular Council Meeting of May 30, 2006.

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**\*R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**WHEREAS**, in accordance with Section 18.50 and Section 18.38 of the El Paso City Code, the Building and Standard Commission of the City of El Paso, by Order dated the 31<sup>st</sup> day of August, 2005, after due notice and hearing, ordered ANTONIO MENDOZA AND LAURA MENDOZA, record Owners of the hereinafter described property that the Building be demolished within thirty (30) days and clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owners having failed after due notice to comply with such ORDER, any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to demolish the Building and clean the premises of all trash, debris, and the mortgagees, lienholders and other persons having an interest in the property failed after due notice to comply

with such ORDER, the Street Department of the City of El Paso has been ordered to proceed to demolish the Building and clean the premises of all weeds, trash, and debris.

**WHEREAS**, the Director for Development Services Department has reported the cost of doing such work in the amount hereinafter set forth;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. That the City Council determines the actual cost of demolishing the Building and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

The South 78 Feet of Tract 10, Coronado Place, an addition to the City of El Paso, El Paso County, Texas, according to the Plat thereof on file in Volume 7, Page 56, Plat Records of El Paso County, Texas; municipally known and numbered as 180 Coronado Road, El Paso, Texas,

to be \$3,369.45, performed by the Street Department of the City of El Paso, and \$1,221.20, performed by the City Attorney's Office and the City Clerk's Office, making a total of \$4,590.65. The City Council finds that the work was completed on the 2<sup>nd</sup> day of March, 2006, and approves the costs.

2. That the City Council, in accordance with Texas Local Government Code §214.001(n), declares the above total amount of FOUR THOUSAND FIVE HUNDRED NINETY AND 65/100 DOLLARS (\$4,590.65) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

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\*Motion made, seconded, and unanimously carried to **APPOINT** Emmanuel E. Ponsford, III to the City-County Animal Shelter Advisory Committee as requested by Mayor Pro Tempore Beto O'Rourke, District 8.

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\*Motion made, seconded and unanimously carried to **AWARD** Best Value Procurement Solicitation No. 2006-134 Janitorial Services Veterans (Northeast) Recreation Center

Award to:	Total Cleaning Services
	El Paso, TX
Item(s):	All
Amount:	\$19,522.56 (estimated for year)
Department:	Parks and Recreation
Funds available:	51010256-01101-502206 & 51010107-16301-502211
Funding source:	Operating Funds and Users Fee
Total award:	\$58,567.68 (estimated)
District (s):	4

Parks and Recreation and Financial Services, Purchasing Division, recommend award under its best value criterion to the above-listed responsive vendor.

This is a thirty-six month contract with the option to renew for one (1) additional year. Total Cleaning Services offers a 2.75% - 20 Days, Prompt Payment Discount.

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\*Motion made, seconded, and unanimously carried to **DELETE** the item that the Engineering Department and Frontera Land Alliance recommend the award of contract no. 2006-099, Resler Canyon Erosion Control Improvements, to CK Construction, Inc., the low-responsible, responsive bidder. This unit priced

contract is for an estimated amount of \$347,791.00. The Resler Canyon Erosion Control Improvements project was created and funded as a result of a legal settlement agreement.

Work under the unit price component is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of the unit price component will be the sum total of unit prices at the end of the contract term. As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council. It is requested that the City Manager of the City of El Paso be authorized to sign the referenced contract.

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\*Motion made, seconded, and unanimously carried to **APPROVE** budget transfer BT2006-807 Planning – Development Services.

To move 3 Planner I's from the Planning Department to the Neighborhood Services Division.

Increase	\$31,018.24	Community Dev: salaries, benefits, & operating expenses
Decrease	\$31,018.24	Planning Dept: salaries, benefits, & operating expenses

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Motion made by Representative Presi Ortega, Jr., seconded by Representative Steve Ortega, and unanimously carried that the following Ordinances, having been **INTRODUCED** pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.44 (Stopping, Standing, and Parking Generally), Section 12.44.170 (Parking on City-Owned Property), of the El Paso City Code revising the reference to applicable State statues for parking fee exemptions for veterans with certain registered license plates. The penalty is as provided in Chapter 12.84 of the El Paso City Code.
- B. An Ordinance authorizing the conveyance of lot 19, block 30, Tierra Del Este unit four, El Paso, El Paso County, Texas.

**PUBLIC HEARING WILL BE HELD ON JUNE 13, 2006, FOR ITEMS A – B**

- C. An Ordinance changing the zoning of Tracts 17-C-103, 17-C-104, and 17-C-164, Section 8, Block 79, Township 3, Texas and Pacific Railroad Survey, El Paso, El Paso County, Texas, from R-3 (Residential) to R-3A (Residential). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: Saint Vitus Place and Saint Dominic Drive. Applicant: Elia Thompson. ZON06-00044
- D. An Ordinance amending Ordinance Number 010764, which changed the zoning of Tracts 1B1 and 1E, Block 10, Upper Valley Surveys, El Paso, El Paso County, Texas, in order to amend the condition imposed by Ordinance Number 010764. Subject Property: Via de Los Arboles. Applicant: Sunny View L.L.C. ZON06-00042
- E. An Ordinance changing the zoning of the Lots 11-15, Block 57, Alexander Addition, El Paso, El Paso County, Texas from S-D/SC (Special Development/Special Contract) to A-O/SC (Apartment/Office/Special Contract). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 200 E. Schuster Avenue. Applicant: Dr. Orestes Moldes. ZON06-00032
- F. An Ordinance releasing the condition cited in ordinance number 012593, which changed the zoning of Lot 2, Block 1, Las Palmas Unit Two, and a portion of Lot 1, Block 1, Las Palmas Unit One, El Paso, El Paso County, Texas. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 11600 Montana Avenue. Applicant: Avenida de Palmas, LTD. Representative: Conde, Inc. ZON06-00022

- G. An Ordinance changing the zoning of Lot 2, Block 1, Las Palmas Unit Two, and a portion of Lot 1, Block 1, Las Palmas Unit One, El Paso, El Paso County, Texas, from C-3/C (Commercial/Condition) to PR-I (Planned Residential I); and a portion of Lot 1, Block 1, Las Palmas Unit One, El Paso, El Paso County, Texas, from C-4 (Commercial) to PR-I (Planned Residential I). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 11600 Montana Avenue. Applicant: Avenida de Palmas, LTD. Representative: Conde, Inc. ZON06-00006

**PUBLIC HEARING WILL BE HELD ON JUNE 20, 2006, FOR ITEMS C – G**

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

AYES: Representatives Lilly, Lozano, Presi Ortega, Jr., Holguin, Steve Ortega, and O'Rourke

NOT PRESENT FOR THE VOTE: Representatives Byrd

ABSENT: Representative Castro

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\*Motion made, seconded, and unanimously carried to **POSTPONE** for one week (1) discussion and action from the Manufacturing Cabinet of the El Paso Lyceum regarding recommendations to Council on the following items:

- The development of the original video regarding manufacturing
- Establishing a position within the City to support the Maquiladora industry
- A regional strategy planning process for manufacturing

Postponed from 5/23/06

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Motion made by Representative Presi Ortega, Jr., seconded by Representative Steve Ortega, and carried to **AWARD** Bid Solicitation No.: 2006-075 EPIA Golf Course Roadway

A hearing, pursuant to Section 271.027(b) of the Local Government Code, to make a determination by City Council whether VeMac, L.P., is not a responsible bidder on the EPIA Golf Course Roadway Solicitation No. 2006-075.

On Wednesday March 15, 2006 bids were opened for EPIA Golf Course Roadway Solicitation No. 2006-075. Upon completion and review of the official bid tabulation for the subject project, it was determined that the apparent low bidder was VeMac, L.P. VeMac, L.P., however, presented insufficient information with regards to experience and expertise. Therefore, it is the opinion of City Staff, that with respect to Solicitation No. 2006-075 VeMac, L.P. is not a responsible bidder.

**RECOMMENDATION:**

City Staff recommends that City Council approve the following motion:

*"VeMac, L.P. is hereby found to be a non-responsible bidder with respect to Solicitation No. 2006-075."*

Upon the Council's determination that VeMac, L.P. is not a responsible bidder, the Departments of Engineering and Airport recommend the award of this contract to Southwest Growth, Corp., the 2<sup>nd</sup> lowest bidder.

Solicitation No: 2006-075

EPIA Golf Course Roadway

Location:

1000 George Perry Dr.

Low Bidder:

VeMac, L.P.

El Paso, Texas

Department: Airport  
 Funds Available: 62620026-PAP0018-41053-508027  
 Funding Source: Airport Revenue  
 Items:       Base Bid I       \$1,248,695.94  
               Base Bid II       \$ 202,891.87  
               Base Bid III       \$ 138,963.29  
  
 Estimated Value of the Total Award: \$1,590,551.10  
 Estimated Completion Date: October, 2006  
 District(s): 2

Second lowest bidder: Southwest Growth, Corp.  
 El Paso, Texas

Department: Airport  
 Funds Available: 62620026-PAP0018-41053-508027  
 Funding Source: Airport Revenue  
 Items:       Base Bid I       \$1,291,231.50  
               Base Bid II       \$ 219,488.75  
               Base Bid III       \$ 84,544.25  
  
 Estimated Value of the Total Award: \$1,595,264.50  
 Estimated Completion Date: October, 2006  
 District(s): 2

It is requested that the City Manager of the City of El Paso be authorized to sign the referenced contract and any other documents, which are necessary to carry out the intent of this award.

Work under the unit price component is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity.

As part of the award of this contract, the City Engineer may, without further authorization from City Council, approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, which are in accordance with applicable law and which do not make changes to the unit price and which are within the appropriate budget.

Mayor Cook and Representatives Byrd, Holguin, Steve Ortega, Lozano, and Presi Ortega, Jr. commented.

The following members of City staff commented:

1. Mr. Rick Conner, Engineering Department
2. Mr. Charlie McNabb, City Attorney, commented.

Ms. Lisa Turner, citizen, commented.

AYES: Representatives Lilly, Byrd, Presi Ortega, Jr., Holguin, Steve Ortega, and O'Rourke  
 ABSTAIN: Representative Lozano  
 ABSENT: Representative Castro

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**NO ACTION WAS TAKEN** on the following item:

Discussion and action on proposed text revisions to Title 20 (Zoning) as recommended by the Building & Zoning Advisory Committee: Chapter 20.18 (Sign Regulations).

Mayor Cook and Representatives Lozano, Byrd, O'Rourke and Steve Ortega commented.

Ms. Pat Adauto, Deputy City Manager, Development and Infrastructure Services, presented a Power Point presentation (on file in the City Clerk's office).

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The following items were taken together:

#### **ORDINANCE 16367**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 20 (ZONING) OF THE EL PASO CITY CODE BY AMENDING CHAPTER 20.67 (HISTORIC LANDMARK PRESERVATION) IN ORDER TO ESTABLISH THE PROCEDURE FOR THE ADMINISTRATION AND PRESERVATION OF HISTORIC LANDMARKS IN THE CITY; PROVIDE FOR THE PROCEDURE FOR THE DESIGNATION OF HISTORIC PROPERTY; AND FURTHER PROVIDE FOR THE APPLICATION PROCESS TO MAKE ALTERATIONS, DEMOLITION AND REMOVAL OF PROPERTY THAT IS DESIGNATED HISTORIC. THE PENALTY IS AS PROVIDED IN 20.68 OF THE CITY OF EL PASO CITY CODE.**

Motion duly made by Representative Byrd, seconded by Representative Lilly, that the Ordinance be **ADOPTED AS AMENDED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Byrd, Presi Ortega, Jr., Steve Ortega, and O'Rourke  
NAYS: Representatives Lozano and Holguin  
ABSENT: Representative Castro

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED AS AMENDED**.

#### **ORDINANCE 16369**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE EL PASO CITY CODE BY ADDING CHAPTER 2.24 (HISTORIC LANDMARK COMMISSION) IN ORDER TO CREATE AND SET FORTH THE FUNCTIONS AND DUTIES OF SAME AND TO CREATE AND DESIGNATE FUNCTIONS OF THE HISTORIC PRESERVATION OFFICER.**

Motion duly made by Representative Presi Ortega, Jr., seconded by Representative Byrd, that the Ordinance be **ADOPTED AS AMENDED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Byrd, Presi Ortega, Jr., Steve Ortega, and O'Rourke  
NAYS: Representatives Lozano and Holguin  
ABSENT: Representative Castro

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

#### **ORDINANCE 16370**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 3 (REVENUE AND FINANCE), CHAPTER 3.04 (PROPERTY TAXES) OF THE EL PASO CITY CODE BY ADDING SECTION 3.04.035 (EXEMPTION - HISTORICALLY SIGNIFICANT SITES) IN ORDER TO PROVIDE AN EXEMPTION FROM TAXATION OF CERTAIN PROPERTY TAXES FOR RENOVATIONS COMPLETED TO HISTORICALLY SIGNIFICANT PROPERTY TO ENCOURAGE THE PRESERVATION OF SUCH PROPERTIES; AND TO CREATE AN APPLICATION AND APPROVAL PROCESS FOR SUCH EXEMPTIONS.**

**1<sup>ST</sup> MOTION**

Motion made by Representative Steve Ortega, seconded by Representative Byrd, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow Mr. Richard Schechter an additional two (2) minutes to speak.

**2<sup>ND</sup> MOTION**

Motion made by Representative Lozano, seconded by Representative Holguin, to **POSTPONE** the Ordinances for four (4) weeks. The motion **FAILED**.

AYES: Representatives Lozano and Holguin

NAYS: Representatives Lilly, Byrd, Presi Ortega, Jr., Steve Ortega, and O'Rourke

ABSENT: Representative Castro

**3<sup>RD</sup> AND FINAL MOTION**

Motion duly made by Representative Presi Ortega, Jr., seconded by Representative Lilly, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Byrd, Presi Ortega, Jr., Steve Ortega, and O'Rourke

NAYS: Representatives Lozano and Holguin

ABSENT: Representative Castro

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

Mayor Cook and Representatives Holguin, Byrd, Lozano, Presi Ortega, Jr. O'Rourke, Steve Ortega, and Lilly commented.

Ms. Pat Aauto, Deputy City Manager, Development and Infrastructure Services, and Mr. Charlie McNabb, City Attorney, commented.

The following members of the public commented:

1. Ms. Lisa Turner
2. Mr. Richard Schechter
3. Dr. Pat Monardes

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**ORDINANCE 16368**

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A SPECIAL PRIVILEGE TO THE EL PASO FESTIVAL ASSOCIATION TO TEMPORARILY CLOSE PORTIONS OF TEXAS AVENUE, FLORENCE STREET, OCHOA STREET, VIRGINIA STREET, ST. VRAIN STREET, ANGE STREET, AND OCTAVIA STREET FROM JUNE 2, 2006, THROUGH JUNE 5, 2006, FOR A "CUSTOM CAR AND CHOPPER STREET FESTIVAL"**.

**1<sup>ST</sup> MOTION**

\*Motion made, seconded, and unanimously carried to **MOVE TO THE FOREFRONT** of the regular agenda.

**2<sup>ND</sup> MOTION**

Motion made by Mayor Pro Tempore O'Rourke, seconded by Steve Ortega, and carried to **SUSPEND THE RULES OF ORDER** to allow public comment.

**3<sup>RD</sup> AND FINAL MOTION**



Motion duly made by Mayor Pro Tempore O'Rourke, seconded by Representative Lilly, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Lozano, Presi Ortega, Jr., Holguin, Steve Ortega, O'Rourke

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Byrd

ABSENT: Representative Castro

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

Ms. Liza Madrigal, El Paso Festival Association, commented.

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\*Motion made, seconded, and unanimously carried to postpone one week (1) an Ordinance granting a Lease and a Special Privilege to Ethicon Endo Surgery, Inc. to permit and regulate the construction, maintenance, and use of a fiber optic cable telecommunications system on the Zaragoza Bridge and across, over, and under portions of city-owned property and public right-of-way along Zaragoza Drive within the City of El Paso. The following consideration is to be paid to the City: \$1,320.00 (Special Privilege Annual Fee), Annual Lease Fee (\$730.00), and Monthly Bridge Fee (\$1,000.00). The Bridge Fee will be abated for seventy-five (75) months in exchange for the grantee's installation of oversized infrastructure for the benefit of the City as set forth in the agreement.  
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Motion made by Representative Byrd, seconded by Representative Steve Ortega, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 8:38 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

Section 551.071 CONSULTATION WITH ATTORNEY

Section 551.072 DELIBERATION REGARDING REAL PROPERTY

Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS

Section 551.074 PERSONNEL MATTERS

Section 551.076 DELIBERATION REGARDING SECURITY DEVICES

Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

**EX1.** Sandra Fernandez vs. The City of El Paso, Texas; Cause No. 2005-8221 (551.071). [City Attorney's Office, Jennifer F. Callan, (915) 541-4550]

**EX2.** Guadalupe Vela, 06-C-080/Sun Metro (551.071). [City Attorney's Office, John L. Anderson (915) 541-4550]

**EX3.** Raquel Silva, File No. 06-C-027/Police (551.071). [City Attorney's Office, Jennifer F. Callan, (915) 541-4550]

## **ADDITION TO THE AGENDA**

**A.** Edith Hallberg v. The City of El Paso, Texas; Cause No. 2004-2911 (551.071). [City Attorney's Office, Laura P. Gordon, (915) 541-4550]

Motion made by Representative Presi Ortega, Jr., seconded by Representative Holguin, and unanimously carried to **ADJOURN** the Executive Session at 8:53 a.m. and reconvene the meeting of the City Council, during which time motions were made.

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Motion made by Representative Steve Ortega, seconded by Representative Presi Ortega, Jr., and unanimously carried to **RECESS** the City Council meeting at 8:53 a.m.  
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Motion made by Representative Steve Ortega, seconded by Representative Lilly, and unanimously carried to **RECONVENE THE REGULAR CITY COUNCIL MEETING** at 9:02 a.m.

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Motion made by Mayor Pro Tempore O'Rourke, seconded by Steve Ortega, and unanimously carried that the City Attorney's Office be authorized to **REJECT** Plaintiff's settlement demand and be authorized settlement authority, to negotiate settlement agreement and sign all documents to resolve the lawsuit styled *Sandra Fernandez vs. City of El Paso, et. al.*; Cause No. 2005-8221.

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Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd, and carried that the City Attorney's Office be authorized to **REJECT** claimant's settlement demand in the claim of *Guadalupe Vela*, Our File No. 06-C-080/Sun Metro.

AYES: Representatives Lilly, Byrd, Presi Ortega, Jr., Steve Ortega, and O'Rourke  
NAYS: Representative Lozano  
ABSTAIN: Representative Holguin  
ABSENT: Representative Castro

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Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Steve Ortega, and unanimously carried that the City Attorney's Office be authorized to **REJECT** Claimant's settlement demand in the claim of *Raquel Silva*, Our File No. 06-C-027/Police.

.....  
Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Steve Ortega, and carried that the City Attorney's Office be authorized to **REJECT** Plaintiff's settlement demand and be authorized settlement authority, to negotiate settlement agreement and sign all documents to resolve the lawsuit styled *Edith Hallberg vs. The City of El Paso*; Cause No. 2004-2911.

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Motion made by Representative Byrd, seconded by Representative Lilly, and unanimously carried to **ADJOURN** this meeting at 12:28 p.m.  
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APPROVED AS TO CONTENT:

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Richarda Duffy Momsen, City Clerk